

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Ravi Iyer

Serial No.: 09/059,865

Filed: April 14, 1998

For: PLANARIZATION USING PLASMA  
OXIDIZED AMORPHOUS SILICON



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Group Art Unit: 2813

Examiner: Nguyen, T.

Atty. Docket: MICS:0015-2/FLE  
93-118.02

*13/Katie  
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Sharon  
2-3-00*

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
January 7, 2000	<i>Kim Hennessey</i>
Date	Kim Hennessey

**NOTICE OF APPEAL UNDER 37 C.F.R. § 1.191 FROM THE DECISION OF THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**


Applicant hereby appeals to the Board of Appeals and Interferences from the Official Action, dated October 8, 1999, of the primary Examiner rejecting claims 12-23 of the above-referenced application.

This Notice is the second Notice of Appeal filed by Applicant in the above-referenced application. Accordingly, Applicant believes that an additional fee for filing the present Notice is not required. However, should Applicant's belief be in error, the Commissioner is authorized to charge the requisite fee, and any additional fees which may be required, to Deposit Account

No. 13-3092, Order No. MICS:0015--2/FLE (93-118.02). Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

Date: January 7, 2000

✓ 

Diana M. Sangalli

Reg. No. 40,798

FLETCHER, YODER & VAN SOMEREN

P.O. Box 692289

Houston, Texas 77269-2289

(281) 970-4545

AF/2813

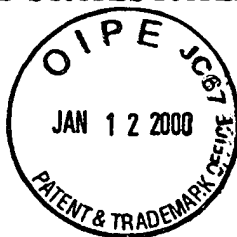
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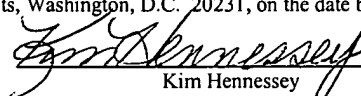
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Sir:

**TRANSMITTAL LETTER**  
**ACCOMPANYING NOTICE OF APPEAL AND APPEAL BRIEF**

In response to the Appeal Brief filed in connection with the above-referenced application on September 7, 1999, the Examiner withdrew the Official Action set forth in Paper No. 7 and submitted the Official Action set forth in Paper No. 12. Based on a telephone message that the Examiner left for Applicant's attorney on January 5, 2000, the Examiner withdrew the Official Action of Paper No. 7 because of an undiscovered issue arising under 35 U.S.C. 112, first paragraph. In response to the Official Action of Paper No. 12, Applicant now files a second Notice of Appeal and a second Appeal Brief, both of which accompany this Transmittal Letter.

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U.S. PATENT & TRADEMARK OFFICE

It is the Applicant's understanding that additional fees for filing a second Notice of Appeal and a second Appeal Brief are not required because the requisite fees already were paid when the first Notice of Appeal was mailed on May 25, 1999 and the first Appeal Brief was mailed on September 7, 1999.

However, should the Applicant's belief be in error, the Commissioner is authorized to charge the requisite fees, and any additional fees which may be required, to Deposit Account No. 13-3092, Order No. MICS:0015--2/FLE (93-118.02).

Respectfully submitted,

Date: January 7, 2000

A handwritten signature in black ink, appearing to read "Diana M. Sangalli", written over a horizontal line.

Diana M. Sangalli  
Reg. No. 40,798  
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